**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*The Silvia J. Mallo Building
One Saint Andrew's Plaza
New York, New York 10007*

MEMO ENDORSED

March 3, 2008

BY FACSIMILE: (212) 805-6326
The Honorable Colleen McMahon
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

*3/4/08
Matter Adj to 4/2/08 at 9:30 am.
Time Excluded through 4/2/08*

Re: United States v. Henry Perdomo,
07 Cr. 767 (CM)

Dear Judge McMahon:

The Parties respectfully submit this letter to jointly request an adjournment of the conference currently scheduled for March 4, 2008, at 9:30 a.m. The request is made because the Government and the defendant are continuing to engage in discussions aimed at resolving this case short of a trial, but won't be able to conclude those discussions by the scheduled conference date. The Parties do anticipate being able to resolve this case in the next few weeks. I have conferred with defense counsel, Barry Weinstein, Esq., and he consents to this request on behalf of the defendant.

I am informed by Your Honor's law clerk that April 2, 2008, at 9:30 a.m. is available for an adjourned control date in the event that the Parties are unable to resolve this case short of trial. Both the Government and the defendant are available on that date, or any other date convenient to the Court.

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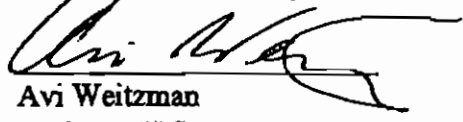
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In addition, the Government respectfully requests that time be excluded for purposes of the Speedy Trial Act from today through and including the date of the next scheduled conference. The Government makes this request to permit the Parties to continue plea discussions. Therefore, the ends of justice served by excluding time under the Speedy Trial Act outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(8). Defense counsel, Barry Weinstein, Esq., has consented to the exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:


Avi Weitzman
Assistant U.S. Attorney
(212) 637-1205

cc: Barry A. Weinstein, Esq. (by facsimile: 718-665-9147)
Attorney for Defendant